

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRANDON DAVIS,

Plaintiff

v.

FRANKLIN COUNTY, et al.,

Defendants

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Civil Action No. 04-30165-KPN

ORDER OF DISMISSAL

July 21, 2005

NEIMAN, U.S.M.J.

The complaint in the above-entitled action was filed on September 2, 2004. As of this date there has been no return to the Court of proof of service of the summons and complaint as required by Rule 4(m) of the Federal Rules of Civil Procedure and Local Rule 4.1(b) of the Local Rules of this Court.

Accordingly, it is hereby ORDERED that, pursuant to Local Rule 4.1(b), the above-entitled action is dismissed without prejudice for failure to timely file proof of service.

By the Court,

/s/ Bethaney A. Healy
Deputy Clerk